

What does it mean to appear *pro se*?

Can a Court Employee give me legal advice or assistance? How do I sue someone in federal court? How do I file a Complaint?

How long do I have to file my Complaint (statute of limitations)? How do I bring *criminal* charges against someone?

I don't have a computer or a typewriter, can I write my papers in long-hand? Can I file my papers electronically?

Can I speak to the judge about my case? Will the judge answer my letter?

Will the judge accept faxes? Will the Clerk's Office?

Why can't the Clerk's Office or other court employees tell me what the law is? What is a docket number?

Why is my Complaint "undergoing judicial review" and what does that mean? Will my case go to trial?

I do not speak English, what do I do?

What should I do if I am hearing-impaired or physically disabled?

What does it mean to appear *pro se*?

Although the majority of individuals, also known as "litigants" or "parties," appearing before this court, is represented by attorneys, a small percentage appears *pro se*. Litigants or parties representing themselves in court without the assistance of an attorney are known as *pro se* litigants. "*Pro se*" is Latin for "in one's own behalf." The right to appear *pro se* in a civil case in federal court is defined by statute 28 U.S.C. § 1654. Thus, with some limitations, anyone can appear *pro se*, and anyone who appears before the Court without an attorney is considered *pro se*.

Can a Court Employee give me legal advice or assistance?

Legal advice should be given only by lawyers to their clients. The Clerk's Office staff and other Court employees are prohibited by law from giving legal advice or performing any legal services on your behalf. Court employees must remain neutral in order to preserve the integrity and independence of the Court. However, Clerk's Office employees may provide procedural advice.

How do I sue someone in federal court?

A lawsuit is commenced by the filing of a "Complaint" with the District Court Clerk's Office, accompanied by the filing fee or a request to proceed without prepayment of the filing fee if you cannot afford to pay the fee.

How do I file a Complaint?

Complaints, as well as all other papers submitted by *pro se* litigants must be submitted to the Clerk's Office. The complaint must include a caption, a statement of facts, the

name and address of the litigant and the litigant's signature. More details regarding this process, may be found in the Step By Step Guide.

How long do I have to file my Complaint (statute of limitations)?

The time limit a person has to file a lawsuit is determined either by the specific federal law that is at issue or the types of claims raised in the lawsuit. This information is legal advice and the court employees cannot tell you how long you may have to file a lawsuit. In order to find out how long you may have to file a case, you must do legal research. Many federal laws specifically state the statute of limitations period. Generally, if the federal law at issue does not include a statute of limitations, you must look to the statute of limitations period listed in state law for the most similar type of claim.

How do I bring *criminal* charges against someone?

Only government prosecutors have the authority to bring criminal charges against someone in federal court. If you believe you have been the victim of a crime or if you have knowledge of a crime that has been committed, you should contact the appropriate prosecutor's office. If you believe the crime is a violation of federal law, you should contact the United States Attorney's Office for the district in which the crime is alleged to have occurred. If you believe the crime is a violation of state law, you should contact the District Attorney's Office for the county in which the crime is alleged to have occurred.

I don't have a computer or a typewriter, can I write my papers in long-hand? Yes, so long as they are legible, papers may be handwritten.

Can I file my papers electronically?

Pro se litigants may file electronically, but they are not required to do so. For information on electronic filing, visit web pages on CM/ECF [link to <http://www.mad.uscourts.gov/general/prose-litigants.htm>] and PACER [link to <http://pacer.psc.uscourts.gov>]

Can I speak to the judge about my case?

Unless appearing in Court before the judge, all communication to the judge must be done in writing.

Will the judge answer my letter?

Generally, the Court will respond to procedural requests, such as extensions of time, that are made in the form of a letter. However, the decision to respond or not to respond to a letter is at the discretion of the judge.

Will the judge accept faxes? Will the Clerk's Office?

Most judges do not accept faxes. The Clerk's Office does not accept faxes.

Why can't the Clerk's Office or other Court employees tell me what the law is?

This would be considered giving legal advice and Court employees are prohibited by law from giving legal advice to the public, even if the employee is a lawyer.

What is a docket number?

The docket number is the court's case number or tracking number. Once a docket number is assigned to a case, it must appear on all papers submitted to the Court. Typically, a docket number is made up of a two-digit number (to signify the year), followed by the case type (either

"cv" for civil cases or "cr" for criminal cases), followed by a five-digit case number and followed by the judge's initials.

Why is my Complaint "undergoing judicial review" and what does that mean?

If a *pro se* litigant asks the Court to waive the filing fee by submitting an application to proceed *in forma pauperis*, the Court is required under the statute and caselaw to first determine if the case is frivolous or malicious, fails to state a claim for relief, or names defendants who are immune from suit. In addition, the Court is required in all cases, including those where the litigant has paid the filing fee, to review the facts and claims to determine if the Court has subject matter jurisdiction over the action. A case that is undergoing judicial review, is one in which the Court is reviewing these issues. This process can take anywhere from a few weeks to a few months, depending upon how many cases are submitted to the Court at any given time, and the complexity of the issues presented. Generally, pending judicial review, summonses are not issued and defendants are not required to respond to the Complaint.

Will my case go to trial?

Very few civil cases in federal court actually go to trial. Most cases, whether they are proceeding *pro se* or with an attorney, are either settled or resolved by the judge's order when one party makes a motion. If the case survives a defendant's motion to dismiss or motion for summary judgment, the judge may set a trial date.

I do not speak English, what do I do?

The federal courts do not have the resources to provide free interpreters for litigants in civil cases. To conduct business at the Court, you could have someone assist you (such as a trusted family member or friend) by interpreting for you.

What should I do if I am hearing-impaired or physically disabled?

You should contact the District Court Clerk's Office for more information about what free services may be available to meet your needs.